



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OCT 12 2001

OFFICE OF  
CIVIL RIGHTS

**CERTIFIED MAIL# 7000 1670 0006 0858 9944**  
**RETURN RECEIPT REQUESTED**

**In Reply Refer to:**  
EPA File No. 15R-00-R4

██████████  
Northwest Enterprises Condo Corp.  
██████████  
██████████ ██████████ ██████████

**Re: Letter of Rejection**

Dear Mr. McGougan:

On April 6, 2000, you filed a complaint with the U.S. Department of Justice, which was subsequently referred to the U.S. Environmental Protection Agency, Office of Civil Rights (OCR), for consideration. Your initial complaint concerned your removal from property you contracted to purchase, return of earnest money, and reimbursement of costs.

On August 27, 2001, OCR sent you a certified letter requesting clarification of your complaint. You responded by letter dated September 7, 2001, which was received by OCR on September 14, 2001. OCR's August 27 letter described the provisions of Title VI of the Civil Rights Act of 1964 and detailed the jurisdictional requirements for acceptance of a Title VI complaint as specified in EPA's regulations at 40 C.F.R. Part 7. A copy of that letter is attached for your reference. In order to determine whether your complaint met the jurisdictional requirements of EPA's regulations, OCR requested that you provide the specific date(s) that the alleged discriminatory acts took place, as well as the specific alleged discriminatory acts that were committed by each of the entities you named in your complaint. OCR's letter also stressed that each entity named in your complaint must be a recipient of EPA assistance. You were advised of these same requirements in your telephone conference with Yasmin Yorker and Patrick Chang of EPA on September 4, 2001.

Your September 7, 2001, response does not provide information which would enable OCR to accept your complaint for investigation. Your letter references actions which took place on various dates in 1997, which you could not specifically identify, except for the January 10, 1997, event alleged in your original complaint. None of these dates fall within 180 days of the filing of your complaint on April 6, 2000. Your letter attached a number of documents containing

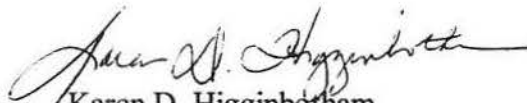
various dates, but you have not connected those documents to any alleged discriminatory acts. Therefore, your complaint does not meet the timeliness requirement of 40 C.F.R. § 7.120.

Furthermore, your September 7, 2001, response fails to identify a recipient of EPA financial assistance. The individuals you listed as discriminating against you were: Officer [REDACTED] of the Creedmoor Sheriff's Department; your attorney [REDACTED]; [REDACTED] attorney for the property sellers; [REDACTED], the property sellers; and Judge Henry W. Hight, Jr. None of these individuals are recipients of EPA financial assistance as required by 40 C.F.R. § 7.15.

Because your complaint fails to meet the jurisdictional requirements of EPA's Title VI regulations, as described above, OCR has no recourse but to reject your complaint.

If you have any questions, please contact Yasmin Yorker by telephone at 202-564-7296, or by mail at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,

  
Karen D. Higginbotham  
Acting Director

cc: Robert D. Fabricant, General Counsel  
Office of General Counsel (MC 2310A)

Rafael DeLeon, Associate General Counsel  
Civil Rights Law Office (MC 2399A)

Sylvia K. Lowrance, Acting Assistant Administrator  
Office of Enforcement and Compliance Assurance (MC 2201A)

Barry E. Hill, Director  
Office of Environmental Justice (MC 2201A)

A. Stanley Meiburg, PhD, Acting Regional Administrator  
EPA Region 4

Nancy Tommelleo, Title VI Contact  
EPA Region 4

Gail C. Ginsberg, Chair  
Title VI Task Force  
EPA Region 5